

M e m o r a n d u m

Date: January 25, 2010

To: Office of the Commissioner
Attention: Commissioner J. A. Farrow

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Office of the Assistant Commissioner, Inspector General

File No.: 005.9968.14792.010

Subject: FINAL 2009 COMMAND EVIDENCE INSPECTION OF THE BARSTOW
AREA

I am issuing this final inspection report of the Barstow Area pursuant to Government Code (GC) §13887, the California Highway Patrol (CHP) Audit Charter and CHP Audit Plan. The inspection focused on the command's evidence system pursuant to departmental policy set-forth in Chapter Two, *Command Evidence* of Highway Patrol Manual (HPM), 22.1, *Command Inspections Program Manual*, and HPM 70.1, *Evidence Manual*.

This inspection was conducted using methodology #3, as presented in HPM 22.1. This is a five step process, which consists of selecting an item in the Area Information System (AIS); locating the item in the Evidence/Property Log; reviewing the corresponding CHP 36, Evidence/Property Receipt/Report; locating the evidence/property item; and verifying the current disposition of the item.

The inspection consisted of examining a stratified random sampling of all categories of evidence/property in the AIS. There were a total of 555 active and 1,880 closed evidence/property numbers in the AIS. The evidence numbers were broken down according to their respective categories within AIS. The evidence numbers associated with closed items were kept separate from the active items. To achieve a statistically defensible sample with a 95 percent confidence level and a plus or minus five percent error rate, 61 items from the active and 60 items from the closed were inspected. Each category from AIS was stratified to ensure each group was proportionally represented in the sample. The internet web site "randomizer.org" was utilized to randomly select evidence numbers from each stratified category as well as the closed and voided numbers.

Safety, Service, and Security

The inspection findings for the Barstow Area are as follows:

1. There was one evidence number with items associated with it that could not be located in the evidence system at the time of this inspection.
2. There were 12 evidence numbers with an incorrect status in AIS.
3. The CHP 36 forms associated with 11 evidence numbers, which require the Chain of Possession be completed, did not have this done.
4. The CHP 36 forms associated with 18 evidence numbers did not have a supervisor's signature.
5. The documentation provided indicates that in the past evidence inventories and audits have not been conducted on a routine basis.
6. The documentation indicates quarterly audits have not been signed by the Area Commander in every instance.

The Barstow Area Commander agreed with the findings and has taken corrective action to improve command operations related to the command's evidence system. The Commander's response is attached and is incorporated into this final report.

In accordance with the *International Standards for the Professional Practice of Internal Auditing* and Government Code §13887 (a) (2), this report, the response, and any follow-up documentation is intended for the Office of the Commissioner; Office of the Assistant Commissioner, Field; Office of the Assistant Commissioner, Inspector General; Office of Legal Affairs; Office of Inspections; and Inland Division. Please note this report restriction is not meant to limit distribution of the report, which is a matter of public record pursuant to Government Code §6250 et seq.

Inland Division has reviewed the corrective action taken by the Barstow Area and has concluded that all previously identified deficiencies have been resolved. As a result no further reporting is required by the Barstow Area and the matter is considered closed.

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The Office of Inspections would like to thank the Barstow Area's management and staff for their cooperation during the inspection. If you need further information, please contact me or Assistant Chief Ken Hill at (916) 843-3005.


M. C. A. SANTIAGO, CIG
Assistant Commissioner

Attachment

cc: Office of the Assistant Commissioner, Field
Office of Legal Affairs
Office of Inspections
Inland Division
Barstow Area

M e m o r a n d u m

Date: October 5, 2009

To: Office of Inspections

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Barstow Area

File No.: 835.10196.11974

Subject: RESPONSE TO BARSTOW AREA COMMAND EVIDENCE INSPECTION
REPORT

This memorandum is intended to serve as the written response to the draft command evidence inspection report of the Barstow Area as required by the Office of Assistant Commissioner, Inspector General's memorandum dated July 7, 2009.

FINDINGS REQUIRING FOLLOW-UP:

Finding 1 – Agree. There was one evidence number with items associated with it that could not be located in the evidence system at the time of this inspection.

This number was assigned to an administrative audio tape which was never placed in evidence by the Sergeant who was conducting the investigation. The audio tape in question was from 2002, was past the retention criteria, and would have been destroyed in 2007. Area Sergeants were instructed on proper retention of audio tapes at an Area staff meeting.

Finding 2 – Agree. There were 12 evidence numbers with an incorrect status in AIS.

The status of the 12 items were changed from Active to Closed on the day of the inspection to match the status on the CHP 36 forms.

Finding 3 – Agree. The CHP 36 forms associated with 11 evidence numbers did not have the Chain of Possession completed as required.

At the time of the completion of the CHP 36 forms in question, the Evidence Officer believed it was not required because it was being completed within the computer record. The process has been updated to reflect the need to complete Chain of Possession on the CHP 36, as well as in the computer records.

Finding 4 – Agree. The CHP 36 forms associated with 18 evidence numbers did not have a supervisor's signature.

The requirement to have a supervisor's signature was addressed and notification was made to all uniformed personnel via a briefing item. The Evidence Officer is aware that all CHP 36 Forms shall have a supervisor or manager's signature prior to processing any evidence or property.

Finding 5 – Agree. The documentation provided indicated evidence inventories and audits have not been conducted on a routine basis.

This deficiency period occurred more than a couple of years ago. The deficiency was identified and addressed when discovered, and routine evidence inventories and audits have been conducted on a regular basis since. The new evidence Sergeant was reminded of the previous deficiency and instructed to ensure future compliance. Additionally, a suspense reminder is routed to a manager each month an audit is due.

Finding 6 – Agree. The documentation indicated all quarterly audits have not been signed by the Area commander.

This discrepancy has been brought to the attention of the current commander and will be addressed with the incoming commander.

Questions regarding this response may be directed to Lieutenant Yun via e-mail at cyun@chp.ca.gov or by telephone at (760) 255-8700.



C. YUN, Lieutenant
Commander

Attachments

cc: Office of the Assistant Commissioner, Field
Inland Division